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Date: February 3, 2004

Docket No.: 4450-0426P

MS PATENT APPLICATION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is a patent application claiming priority under 35 U.S.C. § 119(e) of Provisional Application No(s). 60/444,456 and 60/444,440 filed on February 3, 2003, respectively and Non-Provisional Patent Application No. 10/757,528 filed on January 15, 2004.

Inventor(s): PAN, Ping; HOFMEISTER, Ralph Theodore

For: METHOD AND APPARATUS FOR PERFORMING DATA FLOW INGRESS/EGRESS ADMISSION CONTROL IN A PROVIDER NETWORK

## Enclosed are:

$\boxtimes$	A specification consisting of Ninety-three (93) pages								
$\boxtimes$	Forty-three (43) sheet(s) of formal drawings								
$\boxtimes$	An assignment of the invention								
	Applicant claims the right of priority under 35 U.S.C. § 119 based on Application No(s). filed in on .  Certified copy(ies) is(are) attached hereto.  Certified copy(ies) will follow.								
M	Executed Declaration ( Original Photocopy)								



	Applicant claims small entity status under 37 C.F.R. § 1.27.							
	Preliminary Amendment							
	Application Data Sheet in accordance with 37 C.F.R. § 1.76							
	Information Disclosure Statement, PTO-1449 and reference(s)							
	Applicant requests early publication - \$300.00 publication fee							
	Non-publication Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i)							
	Other:							
$\boxtimes$	Provisional application filed in English:  YES NO							
	If "NO," an English translation with a Statement of Accuracy: $\square$ is attached hereto $\square$ will follow.							

The filing fee has been calculated as shown below:

			LARGE ENTITY	SMALL ENTITY		
	BASIC	FEE	\$770.00	\$385.00		
	NUMBER FILED	NUMBER FXTRA	RATE FEE	RATE FEE		
TOTAL CLAIMS			X 18 = \$18.00	x 9 = \$0.00		
INDEPENDENT CLAIMS	3- 3 =	0	x 86 = \$0.00	x 43 = \$0.00		
l <u> </u>	LE DEPENDEN PRESENTED	T	+ \$290.00	+ \$145.00		
		TOTAL	\$788.00	\$0.00		

A check i	n the	amount	of \$828	.00	to co	ver the	filing	fee	and
recording	fee (	if appl	icable)	is	enclos	ed.			

Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.

□ Please send correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP or Customer No. 02292 P.O. Box 747 Falls Church, VA 22040-0747 (703) 205-8000

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Michael R. Cammarata, #39,491

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MRC/tmr 4450-0426P

Attachment(s)